IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO No.1708 of 2006
DATE OF DECISION: 25.8.2006

United India Insurance Company Ltd.

...Appellant

versus

Narinder Singh and others

... Respondents

CORAM:- Hon'ble Mr. Justice Uma Nath Singh.
Hon'ble Mr.Justice Mahesh Grover.

Present: Ms.Vandanaa Malhotra, Advocate,
for the appellant.

Mr.S.K.Jain, Advocate

Mr.Parveen Kumar, Advocate.

UMA NATH SINGH, J. (ORAL)

In this appeal by the Insurance Company against an award dated 6.1.2006 passed by learned Presiding Officer, Motor Accident Claims Tribunal, Sirsa, in MACT Case No.2 of 2005, learned counsel submitted that there was a breach of condition of policy inasmuch as the accident took

place on a route for which the vehicle had not been issued requisite permit.

We have carefully examined the contention of learned counsel but we do not find any force in the same. Definition of permit under Section 2(31) of the Motor Vehicles Act, 1988 (for short `the Act') does not include route permit. Besides, route permit is only a condition of the permit as per provisions of Section 72 of the Act. Accordingly, there is no breach of policy.

Hence, the FAO, being devoid of merits, is dismissed.

(UMA NATH SINGH)
JUDGE

August 25, 2006 **(MAHESH GROVER)**
pk **JUDGE**